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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Xochi Quetzal Haena Flores
Xochi Quetzal Haena Flores
Ex. Rel. G.H.R. b. 2010,

Plaintiff(s),

v.

Dave Needy

,

Defendant(s).

CASE NO. C19-0389-RAJ
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☒ Yes ☐ No

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Xochi Quetzal Haena Flores Ex. Rel. G.H.R. b. 2010</u>
Street Address	<u>512 South 4th Street</u>
City and County	<u>La Conner, Skagit</u>
State and Zip Code	<u>98257</u>
Telephone Number	<u>808-212-6508</u>

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B. Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Dave Needy

Job or Title *(if known)* Judge

Street Address 205 West Kincaid Street, Rm 202

City and County Mount Vernon, Skagit

State and Zip Code Washington, 98273

Telephone Number (360) 416-1200

Defendant No. 2

Name n/a

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 3

Name n/a

Job or Title *(if known)*

Street Address

City and County

State and Zip Code

Telephone Number

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Defendant No. 4

Name n/a

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)☒ Federal question☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

The Due Process Clause of the Fifth Amendment and the Equal Protection

Clause of the Fourteenth Amendment to the U.S. Constitution are at issue

in this case. This complaint is brought pursuant to statute 42 U.S.C. 1983.

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B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual.

The plaintiff (name) n/a, is a citizen of the
State of (name) n/a.

b. If the plaintiff is a corporation.

The plaintiff, (name) n/a, is incorporated under
the laws of the State of (name) n/a, is incorporated under
the laws of the State of (name) na/, and has its principal
place of business in the State of (name) n/a.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual.

The defendant, (name) n/a, is a citizen of the
State of (name) n/a. Or is a citizen of
(foreign nation) n/a.

b. If the defendant is a corporation.

The defendant, (name) n/a, is incorporated under
the laws of the State of (name) n/a, and has its principal
place of business in the State of (name) n/a.

Or is incorporated under the laws of (foreign nation) n/a,
and has its principal place of business in (name) n/a.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

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3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (*explain*):

Monetary damages from the defendant are not appropriate in this case

because the defendant, Judge Dave Needy, is immune from being compelled

to provide monetary relief. Otherwise, plaintiffs would seek \$299,000.00.

III. STATEMENT OF CLAIM

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Defendant Judge Needy ruled against the plaintiffs at an ex-parte custody

hearing on August 9th, 2016. The plaintiffs, who are biological mother and

son, have been separated since that time without warning and without cause.

IV. RELIEF

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Restrict modification of plaintiffs' Final Parenting Plan dated March 7th, 2016,

order plaintiffs restored to residential cohabitation, and order plaintiff G.H.R.

b. 2010's father to resume contributions of \$4,500 per month to plaintiffs.

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
4 identified, will likely have evidentiary support after a reasonable opportunity for further
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related
8 papers may be served. I understand that my failure to keep a current address on file with the
9 Clerk's Office may result in the dismissal of my case.

03/17/2019

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Xochi Quetzal Haena Flores

n/a

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

n/a

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff